

## SEC. 91.106. PERMITS.

### 91.106.1. Permits Required.

**91.106.1.1. Building Permits.** No person shall erect, construct, alter, repair, demolish, remove or move any building or structure, nor shall any person commence any liquid washing, compressed air cleaning or steam cleaning of exterior surfaces of any building unless said person has obtained a permit therefor from the department. A separate permit shall be obtained for each separate building or structure except that a group of temporary structures erected on one site for a limited period of time may be included on one permit.

Where the installation, alteration or repair of ventilation equipment or ductwork is not included within the scope of a valid building permit, a separate building permit shall be obtained for the work.

Sandblasting, liquid washing, compressed air cleaning, steam cleaning of exterior surfaces of buildings adjacent to and within 20 feet of pedestrian walkways in dedicated streets in the limits of Fire District No. 1 shall be done only between the hours of 11:00 p.m. and 7:00 a.m., or on Sundays.

Where complete plans for a proposed building are filed with the department and where a foundation only permit is issued with respect thereto in accordance with rules established by the Superintendent of Building, a building permit may be issued for the remainder of the building within one year after the issuance of the foundation only permit, provided the plans and specifications comply with all applicable Los Angeles Building Code provisions in effect at the time of issuance of the foundation only permit. **(Amended by Ord. No. 180,619, Eff. 5/12/09.)**

**91.106.1.2. Grading Permits. (Amended by Ord. No. 172,592, Eff. 6/28/99, Oper. 7/1/99.)** No person shall commence or perform any grading, and no person shall import or export any earth materials to or from any grading site, without first having obtained a permit therefor from the Department. No person shall perform any grading within areas designated “**hillside**” unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request.

Any grading project involving more than 100 cubic yards ( $76.5 \text{ m}^3$ ) of excavation and involving an excavation in excess of 5 feet (1524 mm) in vertical depth at its deepest point measured from the original ground surface shall be done by a State of California licensed contractor who is licensed to perform the work described herein.

A separate permit shall be required for each grading site. One permit may include the entire grading operation at that site, however.

**EXCEPTION:** All other provisions of the Code shall apply, but a permit will not be required if the work complies with any one of the following conditions:

1. An excavation which (a) is less than 2 feet (610 mm) in depth, or (b) which does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than one unit vertical in two units horizontal (50 percent slope). This exception shall not apply to cut which exceeds 50 cubic yards ( $38.3 \text{ m}^3$ ) or which changes the existing drainage pattern.
2. A fill less than one foot (305 mm) in depth and placed on natural terrain with a slope flatter than one unit vertical in 10 units horizontal (10 percent slope). This exception shall not apply when the fill exceeds 50 cubic yards ( $38.3 \text{ m}^3$ ) or when the fill changes the existing drainage pattern.
3. Excavations, located in hillside areas, for caissons or piles under buildings or structures authorized by valid building permits.

4. Excavations, not located in hillside areas, for basements, footings, caissons, piles, swimming pools or underground structures which are authorized by valid building permits.

5. Excavations for wells or tunnels or utilities, which do not provide vertical or lateral support for buildings, or adversely impact the safety or stability of private or public properties.

Grading permits may be waived by the Department for excavations under buildings or structures in hillside areas, if the applicant can demonstrate that the site is relatively level, or the excavation is entirely for footings and/or grade beams not exceeding 5 feet (1524 mm) deep.

**91.106.1.3. Temporary Permits. (Amended by Ord. No. 186,488, Eff. 12/27/19.)** Before commencing the construction of any work for temporary use, a building permit authorizing such work shall be obtained from the Department. Such construction shall be occupied or used only for the period set forth on the permit application, but shall not exceed 180 days.

Except for tents and bleachers, application for permit shall be filed at least seven days prior to the construction, erection or operation of any device, structure, or any work regulated by this article for temporary use.

All temporary construction or installations shall be demolished or removed within five days after the expiration of the Certificate of Occupancy. Requests for inspection must be received by the department at least two days prior to public use or occupancy.

**91.106.1.3.1. Temporary Special Event Permits. (Added by Ord. No. 187,056, Eff. 7/4/21.)**

**91.106.1.3.1.1. Definitions.**

1. **Temporary Special Event Permit.** A permit for a Temporary Installation or Temporary Outdoor Use.

2. **Temporary Installation.** The following installations that are temporary in nature and comply with the requirements specified in LAMC Subsection 91.106.1.3.1.

- A. Tents and canopies, larger than 450 square feet, on a residential property.
- B. Tents or canopies, larger than 12 feet in length or width, on a commercial property.
- C. Stages or platforms more than 30 inches above grade.
- D. Grandstands or bleachers.
- E. Temporary structures higher than 12 feet.

3. **Temporary Outdoor Use (TOU).** A temporary change in use of an unenclosed ground level outdoor space, such as a surface parking lot, provided the use is temporary in nature and complies with the requirements specified in LAMC Subsection 91.106.1.3.1. A TOU is exempt from the requirement of an existing main structure.

**91.106.1.3.1.2. Procedures.**

**91.106.1.3.1.2.1. Required Permit.**

1. Before commencing a Temporary Installation or Temporary Outdoor Use, a permit authorizing such work or use shall be obtained from the Department.

2. A Temporary Special Event Permit shall issue where the permit application complies with the requirements specified in LAMC Subsection 91.106.1.3.1, and applicable fees are paid.

#### **91.106.1.3.1.2.2. Application.**

1. Applications for a Temporary Special Event Permit shall include a site plan, event details, and applicant contact information as specified on the application form provided by the Department. To the extent applicable, permit applications shall also include the information specified in LAMC Subsection 91.106.3; a detailed description of the proposed use; and structural plans, design criteria, and calculations prepared and approved with an original wet stamp and legible signature by a State of California Licensed Structural Engineer, Architect, or Civil Engineer.

2. Applications shall be filed at least five business days prior to the construction, erection, operation, installation, or use described in the application for a Temporary Special Event Permit.

**91.106.1.3.1.2.3. Inspection.** Requests for inspection must be received by the Department at least two days prior to use or occupancy.

**91.106.1.3.1.2.4. Appeals or Requests for Slight Modifications.** All appeals or requests for slight modification of Department action or determination pursuant to this section shall be made in accordance with the procedures established in LAMC Sections 98.0403.1 and 98.0403.2.

**91.106.1.3.1.3. Fees.** A Temporary Special Event Permit will not be issued without the payment of fees required by LAMC Section 91.107. If any changes are made to a previously approved permit, or an additional stage, tent, or canopy is added to the layout, an additional inspection will be required and an associated inspection fee will pertain to each additional inspection as specified in LAMC Section 98.0412.

#### **91.106.1.3.1.4. Requirements.**

1. The permit application shall conform to applicable event/day limits and other applicable objective building, zoning, and planning standards.

2. There shall be an existing main structure at the location.

3. There shall be no confirmed violation of applicable laws, regulations, or standards related to a Temporary Special Event Permit at the location during the prior 12-month period.

4. There shall be concurrence from the Department of City Planning, Police Department, Public Works, Fire Department, or other applicable City regulatory agency prior to the Department issuing a permit.

5. The installation or use shall conform to the original layout of the Temporary Special Event Permit and shall not be altered without written notification to and approval of the Department.

6. The applicant shall obtain a re-inspection and approval of the site prior to operation with a new layout.

7. Event activities related to a Temporary Special Event Permit shall comply with applicable laws, regulations, and standards.

8. The applicant shall comply with applicable laws, regulations, and standards governing event activities related to a Temporary Special Event Permit.

9. The applicant shall reimburse the City for applicable inspection costs or fees.

#### **91.106.1.3.1.5. Limit of Authorization.**

1. The subsections concerning Temporary Special Event Permits do not in any way alter or change the permitting or regulatory authority of other federal, state, or local agencies, including, but not limited to, the Fire Department or Police Department. Event activities related to a Temporary Special Event Permit remain subject to all other applicable laws, regulations, and standards; remain subject to the applicable permitting and regulatory authority of other agencies; and must separately obtain any applicable permits required by other agencies.
2. Temporary Special Event Permits do not authorize the temporary use of an enclosed space or building as a place of assemblage. Such temporary use requires approval as specified in Article 7, Chapter V of the LAMC.
3. Temporary Special Event Permits shall not be issued for more than five events in any 12-month period, and each permit shall be valid for a maximum of seven consecutive days at any single location. Such installations or uses are authorized only for the period set forth in the permit.
4. All temporary construction, uses, or installations associated with a Temporary Special Event Permit shall be stopped immediately after the permit expires, and thereafter be demolished or removed within five days.

#### **91.106.1.3.1.6. Violations.**

**91.106.1.3.1.6.1. Suspension and Revocation of Temporary Special Event Permits.** A Temporary Special Event Permit issued pursuant to the provisions of LAMC Subdivision 91.106.1.3, et seq., may be suspended or revoked for a failure to comply with the requirements above, or with any relevant provision of the LAMC.

#### **91.106.1.3.2. Farmers' Market Permits. (Added by Ord. No. 187,056, Eff. 7/4/21.)**

##### **91.106.1.3.2.1. Definitions.**

**Farmers' Market Permit.** A permit for a periodic Temporary Installation and/or Temporary Outdoor Use, as defined in this section, for the operation of a Certified Farmers' Market specified in LAMC Section 12.24 A.6. or 14.00 A.11. that is planned to operate in whole or in part on private property.

**91.106.1.3.2.2. Procedures.** The required permit, application, inspection, appeal and slight modification procedures applicable to a Temporary Special Event Permit, as defined in this section, shall apply to a Farmers' Market Permit. Before commencing a periodic Temporary Installation or Temporary Outdoor Use for the operation of a Certified Farmers' Market, a Farmers' Market Permit shall be obtained from the Department. A Farmers' Market Permit application shall contain proof of a valid Certified Farmers' Market Certificate and a valid Food and Nutrition Service Number issued by the United States Department of Agriculture.

**91.106.1.3.2.3. Fees.** The fees applicable to a Temporary Special Event Permit shall apply to a Farmers' Market Permit.

**91.106.1.3.2.4. Requirements.** The requirements applicable to a Temporary Special Event Permit shall apply to a Farmers' Market Permit, with the following exception: there does not need to be an existing main structure at the location. A person utilizing a Farmers' Market Permit shall maintain proof of a valid Certified Farmers' Market Certificate and a valid Food and Nutrition Service Number issued by the United States Department of Agriculture.

##### **91.106.1.3.2.5. Limit of Authorization.**

1. The limits of authorization applicable to a Temporary Special Event Permit shall apply to a Farmers' Market Permit, with the exception of the five event limit and the authority to remove temporary uses or installations within five days. All temporary construction, uses, or installations associated with a Farmers' Market Permit shall be stopped immediately and demolished or removed at the close of each event day.

2. A Farmers' Market Permit may be obtained on an annual basis, is valid for one year from the date of issuance, and serves the same permitting purposes as a Temporary Special Event Permit as long as the layout of each event remains the same.

3. Where a Certified Farmers' Market is planned to operate on both private property and property in the public right-of-way, a person shall separately obtain the applicable permits from both the Department and the Bureau of Street Services, Department of Public Works. In this instance, the Department shall be the enforcement agency to investigate whether that Certified Farmers' Market accepts Electronic Benefit Transfer cards.

**91.106.1.3.2.6. Violations.** A Farmers' Market Permit issued pursuant to the provisions of LAMC Subdivision 91.106.1.3, et seq., may be suspended or revoked for a failure to comply with the requirements above, or with any relevant provision of the LAMC.

**91.106.2. EXCEPTIONS:** Permit not required for:

1. Where the work regulated by this Code is valued at \$500.00 or less, unless it affects the structural stability of a building, or public safety, or is done to make a building conform to the requirements of this Code for a change in use or occupancy. **(Amended by Ord. No. 179,324, Eff. 12/10/07, Oper. 1/1/08.)**

2. Flag poles and towers not erected upon a building and not more than 15 feet high. Radio and television antennae towers which do not exceed 45 feet in height or light standards which do not exceed 30 feet in height.

3. Construction sheds, state approved construction trailers without toilet facilities and sidewalk protection barriers and canopies built pursuant to Division 33, Article 1, Chapter IX of the LAMC. **(Amended by Ord. No. 185,587, Eff. 7/16/18.)**

4. Sandblasting, liquid washing, compressed air cleaning, steam cleaning of buildings outside of Fire District No. 1 and also those exterior surfaces of buildings which are located more than 20 feet from pedestrian walkways in dedicated streets. Painting, papering and similar work, provided, however, that the values thereof shall be included as part of the value of any new construction for which a permit is required by this Code, for the purpose of determining the amount of the fee to be paid for the permit; and provided further that this exception does not include operations such as liquid washing, compressed air cleaning and steam cleaning on the exterior surfaces of buildings adjacent and within 20 feet of pedestrian walkways in dedicated streets where these operations extend above the first story. **(Amended by Ord. No. 180,619, Eff. 5/12/09.)**

5. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.

6. Exhibits, booths, partitions and display counters for temporary use not exceeding 30 days in conjunction with an exhibit or show and not exceeding 12 feet in height above the floor.

7. Outdoor tents or cloth structures for temporary use not exceeding 30 days and not exceeding 12 feet in any dimension, provided such tents are accessory to an indoor or outdoor assembly use on the site.

8. Swimming, bathing and wading pools not exceeding 24 inches in depth or having a surface area not exceeding 250 square feet.
9. Canopies or awnings located outside of Fire District No. 1 extending not more than 4 feet from the exterior wall of the building and attached to Group R Occupancies. **(Amended by Ord. No. 180,619, Eff. 5/12/09.)**
10. Impact hazard glazing pursuant to LAMC Section 91.6101. **(Amended by Ord. No. 185,587, Eff. 7/16/18.)**
11. Work performed by Certified Licensed Contractors in accordance with LAMC Subdivision 91.108.12.1. **(Amended by Ord. No. 185,587, Eff. 7/16/18.)**
12. Any work accomplished under the auspices of and owned and controlled by the United States of America, by the State of California or the Los Angeles County.
13. Masonry or concrete fences not over 3-1/2 feet high, and other fences not over 10 feet high.
14. Tanks for the storage of combustible liquids, if resting upon the surface of the ground and surrounded by an impounding basin conforming to the requirements of Article 7 of Chapter V of the Los Angeles Municipal Code (Fire Code).
15. Cases, counters and partitions, not over 5 feet 9 inches high.
16. Waterproof pointing of joints in masonry or veneer, also cleaning with detergents which are not injurious to clothing or skin of persons and are not removed by liquid washing, provided work is done from safely enclosed scaffolding which will collect any dust, debris or dropped tools and materials in use.

### **91.106.3. Permit Applications.**

**91.106.3.1. Application.** To obtain a permit, the applicant shall file an application on a form furnished by the department.

One complete application for each permit shall be filed. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in LAMC Subdivision 91.106.3.2. **(Amended by Ord. No. 185,587, Eff. 7/16/18.)**
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the permittee, or an authorized agent.
7. Give such other data and information as may be required by the Superintendent of Building.

### **91.106.3.2. Plans and Specifications.**

**91.106.3.2.1. Site Plan. (Amended by Ord. No. 182,850, Eff. 1/3/14.)** A plot of the site shall be filed with each application for a permit.

**EXCEPTION:** The Superintendent of Building may grant the omission of a site plot when the proposed work is of such a nature that no information is needed to determine compliance with all laws relating to the location of buildings or occupancies.

With respect to the site, the plot shall show the boundaries, lot lines, existing and proposed buildings and structures, neighboring public ways, and sufficient dimensions and other data to enable the Department to determine compliance with all laws relating to the location of buildings or occupancies.

**91.106.3.2.2. Number of Sets of Plans. (Amended by Ord. No. 186,488, Eff. 12/27/19.)** Each application for a permit shall be accompanied by two sets of plans and specifications for plan checking.

The number of sets of plans and specifications submitted with each application for a building permit shall comply with the regulations of LAMC Subdivision 91.106.3 of this Code.

**EXCEPTION:** The Superintendent of Building may waive the requirement for plans and specifications as required in this article if the Superintendent of Building finds that the information on the application is sufficient to show that the work will conform to the provisions of this Code and other relevant laws.

**91.106.3.2.3. Official Stamp.** When the plans and specifications fully comply with the provisions of LAMC Subdivision 91.106.3.3, the Department shall place an official stamp of approval or an approval perforation on each sheet of each set and, upon payment of the permit fee, shall issue one set to the applicant. **(Amended by Ord. No. 185,587, Eff. 7/16/18.)**

**91.106.3.2.4. Validity of Approval.** The stamping or approval of any plans or specifications shall not be held to permit, or to be an approval of, the violation of any provision of this Code.

**91.106.3.2.5. Alterations to Stamped Plans.** No stamped or approved plans or specifications shall be altered in any manner, except when and as approved by the department.

**91.106.3.2.6. Stamped Plans on Job.** The stamped set of plans and specifications issued to the applicant shall be kept at the site of the construction or work and shall be available to the authorized representative of the Department. There shall be no deviation from the stamped or approved application, plans or specifications without Department approval.

### **91.106.3.3. Information and Certification Required on Plans and Specifications.**

**91.106.3.3.1. General. (Amended by Ord. No. 186,488, Eff. 12/27/19.)** All plans and specifications submitted to the Department for checking shall be drawn with ink or indelible pencil, or shall be made by a reproduction process approved by the department. The first sheet of each set of plans and specifications shall give the street address of the work and the name and address of the owner of the building.

The plans and specifications shall be of sufficient clarity to indicate the nature and extent of the proposed work and to show in detail that it will conform to the provisions of this Code and of relevant laws, ordinances, rules, regulations and orders.

Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

In lieu of detailed specifications, the Department may approve reference on the plans to a specific section, subsection or paragraph of this Code or other ordinance or law.

Distances and dimensions on the plans, when required to show conformity with the provisions of this Code, shall be done in figures.

When required by LAMC Subsection 91.1704.3, a statement of special inspection prepared by the registered engineer or licensed architect responsible for the design of the project shall be included with the set of plans.

**91.106.3.3.2. Written Records of Computations Required. (Amended by Ord. No. 174,829, Eff. 10/27/02, Oper. 11/1/02.)** When a structural design is required for the purpose of obtaining a permit, it shall be justified by a written record of computations filed with the department and each sheet of the drawings and written record of computations shall be signed by or bear the approved stamp of an engineer or architect licensed by the State of California for the type of service performed. On structures which do not require an engineer's or architect's signature according to Article 3, Chapter 7, Division 3, of the California Business and Professions Code, but do require some structural design, the person responsible for the design shall sign the calculations and the sheets of the plans with the engineering details.

**91.106.3.3.3. Design Professional in Responsible Charge. (Amended by Ord. No. 186,488, Eff. 12/27/19.)** Where it is required that documents be prepared by a registered design professional, the Superintendent of Building shall have authority to require the owner or owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties require of the original registered design professional in responsible charge. The Superintendent of Building shall be notified in writing by the owner or owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, included phased and deferred submittal items for compatibility with the design of the building.

**91.106.3.3.3.1. Deferred Submittals. (Added by Ord. No. 186,488, Eff. 12/27/19.)** Deferral of any submittal items shall have the prior approval of the Superintendent of Building. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Superintendent of Building.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Superintendent of Building with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the Superintendent of Building.

**91.106.3.3.4. Yard Restriction. (Amended by Ord. No. 182,850, Eff. 1/3/14.)** The increase in area permitted by CBC Section 506.2 and Section 507 shall not be allowed unless or until the owner of the required yard and open space files with the Department an agreement binding the owner, heirs and assignees, to set aside the required yard as an unobstructed space having no improvements. This agreement shall be recorded in the Los Angeles County Recorder's Office.

**91.106.3.3.5. Exterior Balconies and Elevated Walking Surfaces. (Added by Ord. No. 186,488, Eff. 12/27/19.)** Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction



documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

#### **91.106.4. Permits Issuance.**

**91.106.4.1. Issuance.** When the department determines that the information on the application and plans is in conformance with this Code and other relevant codes and ordinances, the department shall issue a permit upon receipt of the total fees.

#### **EXCEPTIONS:**

1. **(Amended by Ord. No. 174,829, Eff. 10/27/02, Oper. 11/1/02.)** The department shall have the authority to withhold a permit for any building if public sewers are not available and the provisions of Article 4, Chapter IX of the Los Angeles Municipal Code (Plumbing Code) prohibit the use of a private sewage disposal system on the lot or premises.

Notwithstanding the provisions of Chapter 7 of the California Plumbing Code as adopted in Section 94.700.0 of the Los Angeles Municipal Code to the contrary, and for any lot or premises located in whole or in part in the San Fernando Valley and certain adjacent areas as described in Section 64.26 A.2. of the Los Angeles Municipal Code:

If public sewers are not available and Article 4 of Chapter IX of this Code does not prohibit the use of a private sewage disposal system, a building permit may be issued, provided that:

A. The owner or owners shall install a holding tank pursuant to permits from the Department of Building and Safety and the Fire Department; and

B. The owner or owners shall submit a covenant and agreement that runs with the land to provide a connection to the public sewer when it becomes available, or to vacate the building if no connection is made. This covenant and agreement shall be signed by the owner or owners and filed with the County Recorder; or

C. The permit is for four or fewer dwelling units in a residential zone, or for a structure that will not result in the discharge of wastewater.

2. **(Amended by Ord. No. 172,592, Eff. 6/28/99, Oper. 7/1/99.)** The Department shall have the authority to withhold permits where the proposed development is located in an area subject to slides or unstable soil which may have an adverse effect on the proposed development or access thereto, as determined by the Department. If the apparent safety of the proposed development can be verified pursuant to the provisions of Sections 91.7016.4.2 and 91.7016.4.3 of this Code, the Department shall issue a permit upon receipt of a sworn affidavit which has been recorded by the County Recorder, stating that the applicant is fully aware that the proposed development is located in an area subject to slides or unstable soil which may have an adverse effect on the proposed development or access thereto.

3. The department shall have the authority to withhold a building permit where the proposed building site is an area subject to inundation, as determined by the department. If it can be shown by authentic past records that any possible inundation is not likely to be of such extent as to be an immediate hazard to occupancy of the proposed building, the department shall issue a building permit upon receipt of a sworn affidavit which has been recorded by the county recorder stating that said applicant is fully aware of the department's finding that the structure is an area subject to inundation.

4. The department shall have the authority to withhold permits on projects located within a Special (Fault) Studies Zone established under Chapter 7.5, Division 2, of the California Public Resources Code. Permits may be issued if it can be demonstrated through accepted geologic seismic studies that the proposed structure will be located in a safe manner and not over or astraddle the trace of an active fault. Acceptable geologic seismic studies shall meet the criteria as set forth in rules and regulations established by the Superintendent of Building to assure that such studies are based on sufficient geologic data to determine the location or nonexistence of the active fault trace on a site. Prior to approval of a project, a geologic report defining and delineating any hazard of surface fault rupture shall be required. If the city finds that no undue hazard of this kind exists, the geologic report on such hazard may be waived, with approval of the state geologist.

5. **(Amended by Ord. No. 182,850, Eff. 1/3/14.)** The department shall have the authority to withhold a demolition or relocation permit for a residential building composed of two or more residential rental units under the following circumstances:

A. When the applicant states that the purpose for demolition or relocation is to construct a condominium, stock cooperative or community apartment project, permits shall be withheld until all necessary tentative tract or preliminary parcel maps for such new subdivision have been approved by the city.

B. This (Exception 5) shall not apply if the building is to be demolished and is:

(i) Constructed of unreinforced masonry construction and built pursuant to a building permit issued prior to October 1, 1933; or

(ii) To be demolished pursuant to a demolition order issued by the Department under authority set forth in Division 89 of Article I of Chapter IX of the Los Angeles Municipal Code.

C. This (Exception 5) shall not apply if the applicant demonstrates to the satisfaction of the Department that the site will be developed with housing for low- to moderate-income households, which housing is to be developed, constructed or acquired with federal, state or local government financial assistance.

D. This (Exception 5) shall not apply to two-family dwellings or to apartment houses and apartment hotels containing three dwelling units, provided that at least one dwelling unit in each such building is occupied by a record owner of the property.

6. **(Amended by Ord. No. 175,790, Eff. 3/29/04.)** The Department shall have the authority to withhold permits on projects located within a Methane Zone or Methane Buffer Zone established under Sections 91.7101*et seq.* of this Code. Permits may be issued upon submittal of detailed plans that show adequate protection against flammable gas incursion by providing the installation of suitable methane mitigation systems.

7. The department shall have the authority to withhold permits for public works capital improvement projects until receipt of written certification from the Cultural Affairs Department that the board, bureau or department of the city authorized by law to construct the project has fully complied with the requirements of the city's Public Works Improvements Arts Program. For purposes of this section, public works capital improvement project" includes any capital project paid for wholly or in part by the City of Los Angeles or by any board, bureau or department of the city authorized by the City Charter or other law to construct or remodel any building, structure, park, utility, street, sidewalk or parking facility, or any other type of capital project or any portion thereof, within the geographical limits of the city.

8. The department shall have the authority to withhold the building permit where, in the opinion of the Superintendent of Building, the design of a structure, due to the unusual configuration of the structure or parts of the structure or assembly of structural materials therein, does not provide at least the same safeguard against earthquake as provided by the applicable portions of this Code when applied in the design of a similar structure of customary configuration.

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10. The department shall have the authority to withhold a building permit or relocation permit for a site if the department determines that demolition or relocation work has been done on the site without the benefit of required demolition or relocation permits. If the department, after notice and hearing, makes this determination, the department shall also have the authority to record an affidavit with the County Recorder stating that no permits for any new development shall be issued on the property for a period of five years.

11. **(Amended by Ord. No. 181,758, Eff. 8/8/11.)** The Department shall have the authority to withhold a building permit for a residential building composed of two or more residential rental units, under the following circumstances:

A. When the applicant states that the purpose for a building permit is to construct a condominium, stock cooperative or community apartment project, permits shall be withheld until all necessary tentative tract or preliminary parcel maps for the new subdivision have been approved by the city.

12. The Department of Building and Safety shall have the authority to withhold building permits for the construction of hotels until a conditional use permit allowing the sale of liquor has been granted by the Department of City Planning or until the Department of Building and Safety receives from the property owner a sworn affidavit, signed by the owner and recorded by the Los Angeles County recorder, declaring that the hotel shall not sell or serve liquor on the premises for a period of not less than five years.

13. The Department of Building and Safety shall have the authority to withhold grading permits for developments with disturbed areas of one acre or more unless the applicant is able to show that a Notice of Intent to comply with the State Construction Activity Storm Water Permit has been filed with the State Water Resources Control Board and a Storm Water Pollution Prevention Plan has been prepared. For the purpose of this section, "**disturbed area**" shall mean an area altered as a result of cleaning, grading and/or excavation of earth. **(Amended by Ord. No. 178,132, Eff. 1/19/07.)**

14. The Department of Building and Safety shall require applicants, as a condition for issuing a grading or building permit, to incorporate into the plan documents best management practices necessary to control stormwater pollution from sediments, erosion, and construction materials leaving the construction site. Such requirements shall be in accordance with the provisions contained in the "**Development Best Management Practices Handbook, Part A Construction Activities**" adopted by the Board of Public Works as authorized by Section 64.72 of the Los Angeles Municipal Code. **(Added by Ord. No. 172,673, Eff. 7/30/99.)**

15. **(Amended by Ord. No. 179,324, Eff. 12/10/07, Oper. 1/1/08.)** The Department of Building and Safety shall have the authority to withhold grading and/or building permits for developments until:

A. The applicant incorporates into the development to the satisfaction of the Bureau of Sanitation of the Department of Public Works, best management practices necessary to control storm water pollution in accordance with the "Low Impact Development Ordinance" (Ord. No. 181,899) and the "Planning and Land Development Best Management Practices Handbook, Low Impact Development Manual, Part B Planning Activities" adopted by the Board of Public Works as authorized by LAMC Section 64.72; and **(Amended by Ord. No. 186,488, Eff. 12/27/19.)**

B. The Bureau of Sanitation of the Department of Public Works receives a Covenant and Agreement, signed by the owner and recorded with the Los Angeles County Recorder, declaring that the best management practices necessary to control stormwater pollution shall be installed and/or constructed and maintained in proper working condition at all times; and

C. The applicant submits to the Bureau of Sanitation of the Department of Public Works, a set of plans and specifications showing compliance with the Standard Urban Stormwater Mitigation Plan or Site Specific Mitigation Plan.

16. The Department of Building and Safety shall have the authority to withhold building permits for new development on the site of a destroyed or demolished Residential Hotel and for the conversion or demolition of Residential Units on any property identified as a Residential Hotel by the Los Angeles Housing Department pursuant to Article 7.1 of Chapter IV of the Los Angeles Municipal Code until the Los Angeles Housing Department has verified compliance with the provisions of Article 7.1 of Chapter IV of the Los Angeles Municipal Code in order to preserve Residential Units in the Residential Hotels of the City of Los Angeles. **(Amended by Ord. No. 187,122, Eff. 8/8/21.)**

#### **91.106.4.2. Retention and Maintenance of Approved Plans.**

**91.106.4.2.1. Retention of Plans.** The duplicate plans and specifications of every building or structure shall be stamped and retained by the department during the life of such building.

**EXCEPTION:** Plans for the following need not be maintained, except where required by the department:

1. Single or multiple dwellings in non-hillside areas which are not part of a common interest development (as defined in Section 1351(c) of the Civil Code of California), and not more than two stories and basement in height.
2. Garages and other structures appurtenant to buildings described in Item 1 of this exception.
3. Farm or ranch buildings.
4. Any one story building where the span between bearing walls does not exceed 25 feet. This exception does not, however, apply to a steel frame or concrete building.
5. Alterations to commercial buildings, apartments and hotels which do not require the signature of a licensed civil or structural engineer or architect.

#### **91.106.4.2.2. Inspection and Reproduction of Retained Plans.**

**91.106.4.2.2.1. Inspection of Plans.** The copy of the approved building plans maintained by the department as provided by Section 91.106.4.2.1 of the Los Angeles Municipal Code shall be available for inspection only on the premises of the department.

**EXCEPTION:** Plans or portion of plans for banks, other financial institutions or public utilities which are maintained by the department may not be inspected without written permission from the owner of the building.

**91.106.4.2.2.2. Reproduction of Plans. (Amended by Ord. No. 171,185, Eff. 7/22/96.)** Plans maintained by the Department under Subdivision 1 of this subsection may not be duplicated in whole or in part except with the written permission of the certified, licensed or registered professional or his or her successor, if any, who signed the original documents, and the written permission of the original or current owner of the building, or, if the building is part of a common interest development, with the written permission of the board of directors or governing body of the association established to manage the common interest development; or by order of a proper court. In implementing this provision, the Department shall comply with the requirements of Health and Safety Code Section 19851.

The Department shall also furnish the form of an affidavit to be completed and signed by the person requesting to duplicate the official copy of the plans, which contains provisions stating all of the following:

1. That the copy of the plans shall only be used for the maintenance, operation, and use of the building.
2. That drawings are instruments of professional service and are incomplete without the interpretation of the certified, licensed, or registered professional of record.
3. That Subdivision (a) of Section 5536.25 of the Business and Professions Code states that a licensed architect who signs plans, specifications, reports, or documents shall not be responsible for damage caused by subsequent changes to, or use of, those plans, specifications, reports, or documents where the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed architect who originally signed the plans, specifications, reports, or documents, provided that the architectural service rendered by the architect who signed the plans, specifications, reports, or documents was not also a proximate cause of the damage.

Grading plans which are on file with the Department are public records and may be duplicated.

The fees specified in the following provisions 1 or 2 shall be paid by the person requesting duplication of plans:

1. Building plans that have not been microfilmed and are authorized for reproduction, and grading plans that are to be duplicated by other than City services will be released only to a bonded duplicating service which has posted a bond for the benefit of the City of Los Angeles in an amount at least equal to the value of the plans.

The cost of duplicating the plans shall be paid directly to the duplicating service by the persons requesting duplication. That person shall pay a service fee of \$15.00 for each set of plans released to a bonded duplicating service as herein provided.

2. Building plans that have been microfilmed and are authorized for reproduction shall be duplicated by City services. The Department shall collect an initial service fee of \$8.00 for each request for reproduction of plans plus a fee of \$1.00 for each sheet requested to be photocopied.

**91.106.4.2.3. Compliance.** A certified copy of the microfilmed plans shall constitute compliance with the requirement of this section.

**91.106.4.3. Validity of Permit.**

**91.106.4.3.1. Limit of Authorization.** The issuance of a permit is not an approval or an authorization of the work specified therein. A permit is merely an application for inspection, the issuance of which entitles the permittee to inspection of the work which is described therein.

Permits issued under the requirements of this Code shall not relieve the owner of responsibility for securing required permits for work to be done which is regulated by any other Code, department or division of the City of Los Angeles.

All permits are issued subject to the following conditions:

If the work described by a valid permit is prohibited by a change in the Los Angeles Municipal Code, then such work may be completed only if the department determines that both substantial liabilities have been incurred, and substantial work has been performed on site, in accordance with the terms of that permit. Work performed and liabilities incurred pursuant to a demolition or relocation permit shall not be considered in determining whether an owner may complete a building or structure for which a building permit has been issued.

**91.106.4.3.2. Validity of Other Laws.** Neither the issuance of a permit nor the approval by the department of any document shall constitute an approval of any violation of any provision of this Code or of any other law or ordinance, and a permit or other document purporting to give authority to violate any law shall not be valid with respect thereto.

**91.106.4.3.3. Official Grades.** The applicant shall satisfy himself as to the correctness of proposed structure elevations and locations with respect to the official grades of public streets and to the policy of the Board of Public Works relative to the location and length of curb depressions for driveways.

**91.106.4.3.4. Easements.** Before issuing any permit, the department shall require a declaration, under penalty of perjury, from the owner or agent having the property owner's consent stating that:

“The proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided.”

**91.106.4.4. Expiration, Suspension or Revocation.**

**91.106.4.4.1. General.** The regulations concerning the expiration, suspension and revocation of permits are enumerated in Chapter IX Article 8, Division 6, of the Los Angeles Municipal Code.

**91.106.4.4.2. Making False Statements to the Department.** Any person who willfully or knowingly, with the intent to deceive, makes a false statement or representation, or knowingly fails to disclose a material fact in any documentation required by the Department shall be guilty of a misdemeanor. **(Amended by Ord. No. 185,587, Eff. 7/16/18.)**

**91.106.4.4.3. Unfinished Buildings or Structures.** Whenever the department determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon has been suspended for a period of 180 days or more, the owner of the property upon which such structure is located, or other person or agent in control of said property, upon receipt of notice in writing from the department to do so, shall, within 90 days from the date of such written notice, obtain a new permit to complete the required work and diligently pursue the work to completion, or shall remove or demolish the building or structure within 180 days from the date of the written notice.

**91.106.4.5. Permits for Historical and Cultural Buildings.** The department shall not issue a permit to demolish, alter or remove a building or structure of historical, archaeological or architectural consequence if

such building or structure has been officially designated, or has been determined by state or federal action to be eligible for designation, on the National Register of Historic Places, or has been included on the City of Los Angeles list of historic cultural monuments, without the department having first determined whether the demolition, alteration or removal may result in the loss of or serious damage to a significant historical or cultural asset. If the department determines that such loss or damage may occur, the applicant shall file an application and pay all fees for the California Environmental Quality Act Initial Study and Check List, as specified in Section 19.05 of the Los Angeles Municipal Code. If the Initial Study and Check List identifies the historical or cultural asset as significant, the permit shall not be issued without the department first finding that specific economic, social or other considerations make infeasible the preservation of the building or structure.

**91.106.4.5.1. Notification of Demolition. (Amended by Ord. No. 186,484, Eff. 1/28/20.)** The Department shall not issue a building permit for demolition of a building or structure for which the original building permit was issued more than 45 years prior to the date of submittal of the application for demolition pre-inspection, or where information submitted with the application indicates that the building or structure is more than 45 years old based on the date the application is submitted, without having first provided the following required notice and taken the following required actions at least 30 days prior to issuance of the demolition of building or structure permit:

1. The Department shall send written notice of the demolition pre-inspection application via U.S. mail to the abutting property owners and occupants, as well as the City Council District Office and Certified Neighborhood Council Office representing the site, for which a demolition pre-inspection has been proposed for a building or structure as defined by the Los Angeles Municipal Code.

2. The applicant shall post a placard on the property where the demolition will occur, in a conspicuous, visible place, within 5 feet of the front property line, describing the date of the application for demolition pre-inspection with the following standards:

A. The placard shall be a minimum 11" x 17" in size and mounted at a minimum of four feet above the ground.

B. The placard shall have black letters on contrasting background white or color paper.

C. The placard shall have major block-style letters a minimum 2-1/2 inches in height and shall state: "NOTICE OF DEMOLITION". Minor letters 1-1/2 inches in height shall specify the permit number and the phone number to be called for information.

D. The placard material shall be made of durable, laminated or other weather resistant material.

3. The Department shall verify the placement of the placard prior to commencement of the demolition work.

4. All applicable protection devices (i.e., fences and/or pedestrian protection canopies) shall be installed and approved by the Department prior to demolition work and maintained during demolition, in accordance with LAMC Sections 91.3306 and 91.3307. The Department shall verify the placement of these devices prior to the commencement of demolition work.

**91.106.4.5.2. (Amended by Ord. No. 186,484, Eff. 1/28/20.)** The applicant seeking the permit shall provide the Department with the names of and addresses of all persons entitled to receive notice pursuant to LAMC Subsection 91.106.4.5.1.

**91.106.4.5.3. (Amended by Ord. No. 186,484, Eff. 1/28/20.)** The Department shall collect a fee in the amount of \$60.00 when an application for the demolition of a building or structure described in LAMC Subsection

91.106.4.5.1 is filed with the Department. This fee shall be charged in addition to applicable demolition pre-inspection fees set forth at LAMC Subsection 91.107.3.2.

**91.106.4.5.4. (Amended by Ord. No. 186,484, Eff. 1/28/20.)** LAMC Subsections 91.106.4.5.1, 91.106.4.5.2, and 91.106.4.5.3 shall not apply to a building or structure as described in LAMC Subsection 91.106.4.5.1 that is the subject of a pending zoning application for a specific plan filed prior to January 12, 2015. In the event a specific plan for such property is not approved within 3 years from January 12, 2015, such property shall be required to comply with the provisions of LAMC Subsections 91.106.4.5.1, 91.106.4.5.2, and 91.106.4.5.3. Insofar as the provisions of LAMC Subsections 91.106.4.5.1, 91.106.4.5.2, and 91.106.4.5.3 are different than or in conflict with the provisions of a specific plan, the provisions of the specific plan shall govern.

**91.106.4.5.5. (Amended by Ord. No. 186,484, Eff. 1/28/20.)** LAMC Subsections 91.106.4.5.1, 91.106.4.5.2, and 91.106.4.5.3 shall not apply to a building or structure as described in LAMC Subsection 91.106.4.5.1 that will be demolished as part of a project that was subject to California Environmental Quality Act review and for which the corresponding discretionary project approval was issued prior to submittal of the application for demolition pre-inspection.

#### **91.106.4.6. Notification and Posting in a Hillside Grading Area.**

**91.106.4.6.1.** In any area designated as a hillside grading area, the department shall not issue (1) a building permit for construction of a building with over 500 square feet of floor area, or (2) a building permit for any addition to an existing building which adds over 500 square feet of floor area, or (3) a grading permit for the grading of more than 1,000 cubic yards of earth materials without having first done the following at least 10 days prior to issuance of the building or grading permit:

1. The department shall send written notices of the permit application, by mail, to the owners of all property abutting the property at which the construction or grading will occur. Notices shall also be sent to the owners of all property across the street or alley when such property is intersected by a projection of the lot lines of the property at which the construction or grading will occur; and
2. The department shall post a notice of the permit application on the property at which the construction or grading will occur.

**91.106.4.6.2. (Amended by Ord. No. 185,587, Eff. 7/16/18.)** The applicant seeking the permit shall provide the Department with the names and addresses of all persons entitled to receive notice pursuant to LAMC Paragraph 91.106.4.6.1.

**91.106.4.6.3. (Amended by Ord. No. 185,587, Eff. 7/16/18.)** The Department shall collect a fee in the amount of \$60.00 when an application for a building or grading permit described in LAMC Paragraph 91.106.4.6.1 is filed with the Department.

#### **91.106.4.7. Curb Ramps.**

**91.106.4.7.1. Condition of Permits. (Amended by Ord. No. 185,587, Eff. 7/16/18.)** Subject to the provisions of LAMC Paragraph 91.106.4.7.2, no building or structure shall be erected or enlarged, and no building permit issued therefor, on any lot, any part of which is within 100 feet (30.48 m) of the straight projection of the intersection of the building lines of a corner lot of the block within which subject lot fronts, unless the applicant agrees in writing, and submits the necessary surety in the form of a bond or cash deposit, to construct a corner curb ramp at such corner and in addition, if such lot is within 100 feet (30.48 m) of two such intersections to construct corner curb ramps at each of the two adjacent corners at both intersections, for a total of two ramps. The curb ramp shall comply with the standards contained in Part 2 of Title 24 of the California Code of Regulations. Such improvements procedure shall, in all respects be in compliance with LAMC Section 12.37 D.

**EXCEPTIONS:** This section does not apply to the following:



1. One or two family dwelling or addition thereto located in a tract, parcel map or subdivision recorded prior to the effective date of this section.
2. A building or structure or addition thereto of less than 500 square feet in gross floor area or when such building, structure or addition thereto contains a restaurant or fast food restaurant of less than 200 square feet in gross floor area.
3. Where sidewalks are neither currently installed nor required by the city as a condition of development, at either the location of the proposed development or the location of the otherwise proposed curb ramp.

**91.106.4.7.2. (Amended by Ord. No. 185,587, Eff. 7/16/18.)** It is determined that the requirements of LAMC Paragraph 91.106.4.7.1 shall be imposed as a condition to the erection of any structure or addition thereto wherein handicapped access is otherwise required.

**91.106.4.8. Construction Site Notice. (Added by Ord. No. 178,048, Eff. 12/24/06.)**

**91.106.4.8.1. Contents.** Any person who obtains the following types of permits shall post a notice, as described below, at the construction site:

1. Permit for new structures, except signs,
2. Permit for additions to existing buildings,
3. Change of use or occupancy permit,
4. Demolition permit,
5. Relocation permit,
6. Swimming pool permit, or
7. Grading permit.

The notice shall be on a form entitled "Construction Site Notice" provided by the Department and shall include the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported.

**91.106.4.8.2. Location.** The notice shall be posted and maintained at the construction site and displayed in a location that is readily visible to the public and approved by the Department.

**91.106.4.8.3. Maintenance of Notice.** The notice shall be displayed after issuance of the permit and prior to the start of construction. The notice shall be displayed continuously during the process of construction until all the work authorized by the permit is inspected and approved by the Department. All contact information on the notice, including telephone numbers, shall be correct and maintained current. Failure to display this notice may result in withholding of inspections by the Department.

**91.106.5. Solar Permitting. (Added by Ord. No. 183,892, Eff. 11/8/15.)**

**91.106.5.1. Streamlined Permitting Process for Small Residential Rooftop Solar Energy Systems.** A solar energy system, as defined in California Civil Code Section 801.5(a), that satisfies all of the following requirements shall be eligible for streamlined permitting process:

1. It is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal;
2. It conforms to all applicable state and local fire, structural, electrical and other building codes;
3. It meets all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability;
4. It is installed on a single or duplex family dwelling; and
5. Its solar panels or module arrays do not exceed the maximum legal building height, which includes the height allowances provided by Section 12.21.1 B.3.(c) of the Los Angeles Municipal Code.

The Department shall publish on a publicly accessible internet site all required permitting documentation and a checklist of all requirements with which such solar energy systems must comply to be eligible for streamlined review. The Department shall use the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook and adopted by the Governor's Office of Planning and Research. The Department shall allow online submittal of permit applications and associated documentation, and shall authorize the electronic signature of all forms, applications and other documentation in lieu of a wet signature.

A permit application that the Department determines satisfies the information requirements in the checklist shall be deemed complete. Upon confirmation that an application is complete and that the proposed solar energy system complies with all requirements of the Los Angeles Municipal Code, the Department shall approve the application and issue all required permits in a timely manner in substantial conformance with the recommendations of the California Solar Permitting Guidebook. Upon receipt of an incomplete application, the Department shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for streamlined permit issuance.

Except as provided herein, a solar energy system eligible for streamlined review shall be subject to no more than one inspection, which shall be done in a timely manner in substantial conformance with the recommendations of the California Solar Permitting Guidebook and may involve multiple agencies. If the eligible solar energy system fails the inspection, a subsequent inspection may be required. This section does not preclude the Los Angeles Department of Water and Power from conducting separate inspections for the interconnection of a solar energy system to the electricity grid.

The Department need not approve an application or issue permits under this section if the Department makes a finding, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health or safety. "Specific, adverse impact" means a significant, quantifiable, direct and unavoidable impact, based on objective, identified and written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete.